IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 11026 of 2004

Between:
Akula Prasunamba, W/o A. Koteswara Rao, Hindu,
Aged about 59 year, R/o.old Guntur, Guntur.

..... PETITIONER

AND

The Special Officer and Competent Authority,
Urban Land Ceiling, 5th Line, Arundelpet, Guntur.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any Writ or order or direction more particularly one in the nature of Writ of Mandamus directing the respondent to consider the Petitioner representation dated 18-12-2003 in file No. ULC.No.5/78 as per the instructions/guidelines issued by the Government of India as per letter No. 3/1/97 UCU (2), dated 21--5-1997 and further declare that inaction of the respondent in not considering the petitioner representation as illegal, arbitrary and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR. RAJA REDDY KONETI, Advocate.

For the Respondent: GP FOR LAND CEILING

The Court at the admission stage made the following :

ORDER:

By this writ petition, the petitioner seeks a direction to the respondent-Special Officer and Competent Authority, Urban Land Ceiling, Guntur to consider and pass orders on the representation dated 18-12-2003 made by her for determination of the holding of her family in the light of the guidelines issued by the Government of India, Ministry of Urban Affairs and Employment (Department of Urban Development), Nirman Bhavan, New Delhi in Lr. No.3/1/97 UCU (1), dated 21-05-1997.

The grievance of the petitioner is that without calling for her objections, the respondent passed order under Section 8(4) of Urban Land (Ceiling and Regulation) Act, 1976 declaring about 3689 square metres of their land as surplus, for which the petitioner made a representation dated 18-12-2003 to the respondent for

re-determination of their holding in terms of the guidelines issued by the Government of India, but the respondent has not considered her representation so far. Questioning the action of the respondent in not considering her representation, the present writ petition is filed.

Having heard the learned counsel for petitioner and having regard to the facts and circumstances of the case, and having

regard to the fact that the representation said to have been filed by the petitioner is pending with the respondent, without going into the merits of the case, I deem it appropriate to dispose of the writ petition with the following directions:

If the representation dated 18-12-2003 of the petitioner is not yet disposed of, the respondent shall consider and dispose of the same in accordance with law and pass appropriate orders thereon, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

N.V. RAMANA, J

Date: 01-07-2004

Svv

To

1. The Special Officer and Competent Authority, Urban Land Ceiling, 5th lane, Arundelpet, Guntur.
2. Two CCs to the GP for Land Ceiling, High Court Buildings, Hyderabad (O.U.T).
3. Two CD copies.